



U.S. Department of Justice

Office of the United States Trustee

*Southern District of New York*

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November 29, 2021

The Honorable Robert D. Drain  
United States Bankruptcy Court  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

**Re: Purdue Pharma L.P.**  
**Case No. 19-23649 (RDD)**

Your Honor:

The United States Trustee writes in response to the Debtors' email to chambers on Sunday, November 28, 2021 (the "Debtors' Email") in the above referenced matter. The United States Trustee respectfully requests that the Debtors be directed to file the Debtors' Email on the public docket as we believe that it is inappropriate to litigate substantive issues via email.

With respect to the substantive issues raised in the Debtors' Email, the United States Trustee respectfully disagrees with the Debtors' interpretation of the Court's ruling. The United States Trustee believes the proposed finding contained in the proposed order submitted to chambers by the United States Trustee is consistent with the Court's ruling as outlined in excerpt from the transcript that we submitted in connection with our proposed order. The United States Trustee is happy to provide a full copy of the transcript if Your Honor would like it for his review. While we do not dispute that Your Honor ultimately found that there was no imminent risk of harm, the United States Trustee believes Your Honor made such finding as Your Honor found that the ministerial actions by the Debtors in advance of the Effective Date pursuant to the Confirmation Order or the Advance Order would not give rise to equitable mootness under Second Circuit law.

With respect to the second substantive issue raised in Debtors' email to chamber, we think such provision is necessary and appropriate because Your Honor was clear in his ruling that he was not denying the right of any party to seek further relief from this Court. Nor did this Court suggest it was seeking to interfere with the authority of any other court to order any other relief.

Very truly yours,

WILLIAM K. HARRINGTON  
UNITED STATES TRUSTEE, Region 2

By: /s/ Paul k. Schwartzberg  
Paul K. Schwartzberg  
Trial Attorney